

3
JM
11/18/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kolesnick and Schuchman

Serial No.: 09/928,872

Group Art Unit: 1644

Filed: August 13, 2001

Examiner: To be assigned

For: METHODS AND COMPOSITIONS
FOR THE MODULATION OF ACID
SPHINGOMYELINASE-RELATED
APOPTOSIS

Attorney Docket No.: 6923-106

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This application is a continuation of U.S. Serial No. 08/687,707, filed July 26, 1996, now U.S. Patent No. 6,274,309, issued August 14, 2001.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to References AA-CI listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant." Legible copies of references AA-AI are submitted herewith. Copies of references AJ-CI are not being provided as they are of record in the parent application.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject

application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, it is believed that no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP deposit account no. 16-1150; a duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date December 14, 2001

Geraldine F. Baldwin 31,232
Geraldine F. Baldwin (Reg. No.)

By: Stephen K. Sullivan 43,171
Stephen K. Sullivan (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711

(212) 790-9090

Enclosures